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**U.S. DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

12 STRIKE 3 HOLDINGS, LLC, a
13 Delaware corporation,

14 Plaintiff,

15 vs.

16 JOHN DOE, subscriber assigned IP
17 address 73.225.38.130,

18 Defendant.
19

Case No. 2:17-cv-01731-TSZ

DEFENDANT'S REQUEST FOR
PRODUCTION OF DOCUMENTS
TO PLAINTIFF

SET: ONE

20
21 **PROPOUNDING PARTY: JOHN DOE, subscriber assigned IP address**
22 **73.225.38.130**

23 **RESPONDING PARTY: STRIKE 3 HOLDINGS, LLC**

24 **SET NUMBER: ONE (1)**
25
26

REQUEST FOR PRODUCTION OF DOCUMENTS

SET: ONE

CASE NO. 2:17-cv-01731-TSZ

**DEFENDANT'S FIRST SET OF REQUESTS FOR PRODUCTION TO
PLAINTIFF**

Pursuant to Fed.R.Civ.P. 34, Defendant, JOHN DOE subscriber assigned IP address 73.225.38.130 ("DOE"), hereby requests Plaintiff, STRIKE 3 HOLDINGS, LLC ("S3H") produce for inspection and copying the documents and things, in accordance with the Definitions and Instructions included herein, and to respond within the time prescribed by the applicable Federal Rules of Civil Procedure.

Time and Place of Production: These documents are to be produced for inspection and copying at Edmondson IP Law, LLC, 3699 NE John Olsen Ave, Hillsboro, OR 97124, or at the Miles Way Coyne c/o Jason Aldred 2102 Carriage Dr SW, Suite a-103, Olympia, WA 98502, on July 6th by 10 a.m.

In the alternate, PDF copies and/or electronic copies may be mailed to the Defendant's counsel's office at 3699 NE John Olsen Ave, Hillsboro, OR 97124 or sent via email to Defendant's counsel's at jcedmondson@edmolaw.com, with a copy to kiren@edmolaw.com.

INSTRUCTIONS

Compliance with this Request is requested to be made in accordance with the following:

1. If you at any time had possession, custody, or control of a document called for under this request and if such document has been lost, destroyed, purged, or is not presently in your possession, custody, or control, you shall describe the document, the date of its loss, destruction, purge, or separation from possession, custody, or control and the circumstances

1 surrounding its loss, destruction, purge, or separation from possession, custody,
2 or control.

3 2. If you assert that any document called for by this request is
4 protected against disclosure as a "work product" or by privilege of any kind
5 whatsoever, you shall provide the following information with respect to such
6 document:

7 a. The name and capacity of the person or persons who prepared the
8 document.

9 b. The name and capacity of all addressees or recipients of the
10 original or copies thereof.

11 c. The date, if any, borne by the document.

12 d. A brief description of its subject matter and physical size.

13 e. The source of the factual information from which such document
14 was prepared, and

15 f. The nature of the privilege claimed.

16 3. All documents produced pursuant hereto are to be produced as they
17 are kept in the usual course of business or shall be organized and labeled
18 (without permanently marking the item produced) so as to correspond with the
19 categories of each numbered request hereof.

20 4. When appropriate, the singular form of a word should be
21 interpreted in the plural as may be necessary to bring within the scope hereof
22 any documents which might otherwise be construed to be outside the scope
23 hereof.

24 5. All documents to be produced are documents obtained in your
25 possession within the Time Period.
26

DEFINITIONS

1 1. The words “and” and “or” shall be construed either disjunctively or
2 conjunctively as necessary to bring within the scope hereof any responses to
3 interrogatories, documents, or communications, which might otherwise be
4 construed to be outside the scope hereof.

5 2. “BitTorrent” means a peer-to-peer file transfer protocol for sharing
6 large amounts of data over the Internet, in which each part of a file downloaded
7 by a user is transferred to other users. In order to distribute a large file, the
8 BitTorrent Protocol breaks a file into many small pieces. Users then interact
9 directly with each other to exchange these small pieces among each other. After
10 a user receives all of the pieces of a digital media file, the user’s BitTorrent
11 software client reassembles the pieces so that the file may be opened and
12 utilized.

13 3. “BitTorrent Swarm” shall mean any and all data collected for the
14 Subject Hash.

15 4. “Communication” means any oral or written statement, dialog,
16 colloquy, discussion, or conversation, and also means any transfer of thoughts or
17 ideas between persons by means of documents and includes any transfer of data
18 from one location to another by electronical or similar means.

19 5. “Complaint” shall mean the Complaint, filed in this action on
20 November 16, 2017, including attached exhibits.

21 6. If not expressly stated, “control” means in your possession,
22 custody, or control and includes documents and things in the possession,
23 custody, or control of any other person in your house, apartment, dwelling,
24 and/or business.

1 7. “Dates of Alleged Infringements” means the UTC dates referred to
2 in column 4 of Exhibit A.

3 8. “Defendant” means JOHN DOE, subscriber assigned IP address
4 73.225.38.130.

5 9. “Defendant’s IP Address” means the IP address 73.225.38.130 as
6 alleged in Plaintiff’s Complaint.

7 10. “Documents” shall mean the original or exact copies of any
8 tangible written, typed, printed, or other form of recorded or graphic matter of
9 every kind or description, however produced or reproduced, whether
10 mechanically or electronically recorded, draft, final, original, reproduction,
11 signed or unsigned, regardless of whether approved, signed, sent, received,
12 redrafted, or executed, and whether handwritten, typed, printed, photostated,
13 duplicated, carbon or otherwise copies, or produced in any other manner
14 whatsoever. Without limiting the generality of the foregoing, “documents” shall
15 include correspondence, letters, telegrams, telexes, mailgrams, memoranda,
16 including interoffice and interoffice memoranda, memoranda for files,
17 memoranda of telephone or other conversations, and including meetings,
18 invoices, reports, receipts and statements of account, ledgers, notes or notations,
19 booklets, books, drawings, graphs, telephone records, video cassettes, electronic
20 tapes, discs or other recordings, computer programs, hard drives, discs,
21 printouts, data cards, studies, analysis, e-mails, computer files, back-up tapes,
22 hard disks, litigation data bases and other data compilations from which
23 information can be obtained. Copies of documents which are not identical
24 duplications of the originals, or which contain additions to or deletions from the
25 originals, or copies of documents which are identical duplications of the
26 originals if the originals are not available, shall be considered to be separate

1 documents physically in the file, folder, binder, or other filing system that are
2 normally kept within the file folder, binder, or other filing system in the normal
3 course of business.

4 11. "DMCA notice" shall mean the DMCA notices referred in
5 paragraph 26 of The Declaration Of Greg Lansky In Support Of Plaintiff's
6 Motion For Leave To Serve A Third Party Subpoena Prior To A Rule 26(F)
7 Conference, attached as Exhibit B to the current document.

8 12. "Entity" means any person or entity, and includes individuals,
9 corporations, partnerships, associations, joint ventures, firm, and other business
10 enterprises or legal entities, and includes both the singular and plural.

11 13. "Exhibit A" shall mean the document attached to the Complaint as
12 Exhibit A, also attached as Exhibit A to the current document.

13 14. "Infringement Detection" shall mean any protocol, process,
14 procedure, practice, and /or method used to determine that the Defendant has
15 infringed the Plaintiff's Works as alleged in Exhibit A of the Complaint.

16 15. "Infringement Detection Software" shall mean any computer
17 program, manual method, automated method, third party service, and/or any
18 process for determining that the Defendant has infringed the Plaintiff's Works as
19 alleged in Exhibit A of the Complaint.

20 16. "PCAP" shall mean the PCAP and described in paragraph 8 of the
21 Declaration Of Tobias Fieser In Support Of Plaintiff's Motion For Leave To
22 Serve A Third Party Subpoena Prior To A Rule 26(F) Conference, attached as
23 Exhibit C to the current document.

24 17. "Plaintiff" and "S3H" shall mean, "STRIKE 3 HOLDINGS, LLC",
25 the Plaintiff in this action.
26

18. "Related to" and "in relation to" shall mean directly or indirectly, refer to, reflect, describe, pertain to, arise out of or in connection with, or in any way legally, logically, or factually be connected with the matter discussed.

19. "STRIKE 3 HOLDINGS, LLC" refers to Plaintiff, Strike 3 Holdings, LLC, including its employees, agents, servants, subsidiaries, parent company, affiliated company, and any other person or entity acting or purporting to act on its behalf or under its control.

20. "Subject Hash" refers to each of the hashes identified in column 2 of Exhibit A.

21. "Torrent File" shall mean the ".torrent" file described in Paragraph 18 of the Complaint.

22. "Used" means connected the device to a computer or other device, connected the device to a power source, stored files on the device, copied files to the device, copied files from the device, erased files from the device, accessed files on the device, viewed files on the device, or engaged in any combination of the foregoing.

23. The "Works" means the works identified in column 1 of Exhibit A, corresponding to the hashes in column 2 of Exhibit A.

24. "You" or "Your" refers to the person upon whom this request was propounded and any other person(s) or entity(ies) acting or purporting to act on your behalf or under your control.

DOCUMENTS REQUESTED

1. A copy of the object code of the Infringement Detection Software used on the Dates Of Alleged Infringements.

1 2. A copy of the source code of the Infringement Detection Software
2 that was used on the Dates Of Alleged Infringements.

3 3. A copy of all third-party software licenses that were used for
4 Infringement Detection Software on the Dates Of Alleged Infringements.

5 4. A copy of all build files of the Infringement Detection Software that
6 was used on the Dates Of Alleged Infringements.

7 5. A copy of all validation test files for the Infringement Detection
8 Software that was used on the Dates Of Alleged Infringements.

9 6. A copy of all documentation for Infringement Detection on the
10 Dates Of Alleged Infringements.

11 7. A copy of all expert reports regarding the testing, validation, and/or
12 inspection of the Infringement Detection Software on the Dates Of Alleged
13 Infringements.

14 8. A copy of all expert reports regarding the testing, validation, and/or
15 monitoring of Infringement Detection.

16 9. A copy of any and all Documents that reference IP Addresses used
17 to monitor the BitTorrent Swarm for Infringement Detection on the Dates Of
18 Alleged Infringements.

19 10. A copy of all PCAPs from the BitTorrent Swarms that were
20 collected for Infringement Detection on the Dates of the Alleged Infringements.

21 11. A copy of all Torrent Files accessed by the Infringement Detection
22 Software corresponding to the Works.

23 12. A copy of all DMCA notices sent to IP address 73.225.38.130.

24 13. A copy of all DMCA notices sent to any internet service provider,
25 in relation to IP address 73.225.38.130.

26 14. A copy of all copyright certificates related to the Works.

1 15. A copy of all copyright depository copies related to the Works.

2 16. All Documents, for the last three years, supporting your allegation
3 in paragraph 3 of the Complaint that SH3 has "...more than 20 million unique
4 visitors to its websites each month..."

5 17. All Documents supporting your allegations in paragraph 4 of the
6 Complaint that Defendant "...has been recorded infringing 80 movies over an
7 extended period of time".

8 18. All Documents supporting your allegations in paragraph 9 of the
9 Complaint that "...Plaintiff used IP address geolocation technology by Maxmind
10 Inc. ("Maxmind")".

11 19. All Documents supporting your allegations in paragraph 13 of the
12 Complaint that "Strike 3's subscription based websites proudly boast a paid
13 subscriber base that is one of the highest of any adult-content sites in the world."

14 20. All Documents supporting your allegations in paragraph 13 of the
15 Complaint that "Strike 3 also licenses its motion pictures to popular
16 broadcasters".

17 21. All Documents supporting your allegations in paragraph 13 of the
18 Complaint that "Strike 3's motion pictures are the number one selling adult
19 DVDs in the United States".

20 22. All Documents supporting your allegations in paragraph 16 of the
21 Complaint that "Often appearing among the most infringed popular
22 entertainment content on torrent websites, Strike 3's motion pictures are among
23 the most pirated content in the world."

24 23. All Documents supporting your allegations that Defendant
25 distributed S3H's Works, as alleged in paragraph 23 of the Complaint.
26

24. All Documents supporting your allegations in paragraph 26 of the Complaint that “A full copy of each digital media file was downloaded from the BitTorrent file distribution network, and it was confirmed through independent calculation that the file hash correlating to each file matched the file hash downloaded by Defendant.”

25. All Documents supporting your allegations in paragraph 27 of the Complaint that “Defendant downloaded, copied, and distributed a complete copy of Plaintiff’s Works”.

26. All Documents supporting your allegations in paragraph 29 of the Complaint that “The digital media files have been verified to contain a digital copy of a motion picture that is identical (or alternatively, strikingly similar or substantially similar) to Plaintiff’s corresponding original copyrighted Works”.

27. All Documents supporting your allegations in paragraph 30 of the Complaint that “Absent this lawsuit, Plaintiff knows of no way to effectively prevent Defendant from infringing Plaintiff’s motion pictures.”

Respectfully submitted,

Dated: May 31, 2018

/s/ J. Curtis Edmondson

Attorney for Defendant

DOE

Exhibit A to the Complaint

Location: Federal Way, WA
Total Works Infringed: 80

IP Address: 73.225.38.130
ISP: Comcast Cable

Work	Hash	Site	UTC	Published	CRO App. File Date	CRO Number
1	1BC8C1ADCAA75C3EC9408C8CBF5147863205E6C	Tushy	09/05/2017 10:40:33	09/03/2017	09/10/2017	PA0002052851
2	0326E8923C58852725F5A7857833A4CD3E715289	Tushy	05/15/2017 04:40:00	05/06/2017	06/15/2017	15389210313
3	039F4779148D3E374D990283A83AC46A0219DAE9	Vixen	05/12/2017 06:25:29	04/19/2017	06/15/2017	15389210409
4	0CDEB18021838E8E2A694A7D16D9A45366CFA8B6	Blackd	08/08/2017 21:54:29	08/08/2017	08/17/2017	15732904191
5	1487A26EAAAD70318258AB9F506506A8F293533A	Blackd	05/21/2017 18:02:17	05/05/2017	06/15/2017	PA0002037591
6	1A032CB38B82AF87DAF2B239A1A17B6C713EBC26	Blackd	08/12/2017 13:46:39	08/03/2017	08/17/2017	15732904092
7	1C2C06D480942F4FE7FDCED4759E93805E02B54B	Tushy	05/24/2017 01:49:12	05/21/2017	06/22/2017	PA0002039282
8	1D1B18BB0C921D6E1A6D148E4542257B42A2469F	Tushy	06/22/2017 08:52:38	06/20/2017	07/06/2017	15584063275
9	1D63168E762F9C841AE4DBD6646599AD0EFF3911	Blackd	07/10/2017 20:05:40	07/09/2017	08/17/2017	15732782151
10	1D7E521CD7368013A7F1B28494A2AC43D8F99F0E	Vixen	09/03/2017 05:01:06	09/01/2017	09/07/2017	PA0002052845
11	1D7E721AC3B8D9558BCAD8D62F57AF030BD1F315	Vixen	06/06/2017 10:18:02	06/03/2017	07/06/2017	15584691685
12	22883186DAB5FCA92C8513AD939652BCB867FD5C	Tushy	08/21/2017 10:03:46	08/19/2017	08/24/2017	15894022311
13	22C377CC65B1695E6470BF967C4C825391EF90	Blackd	08/01/2017 08:09:40	07/29/2017	08/11/2017	PA0002046872
14	24D6E127081B069994E81CA544B8FF3E3A0A33D3	Tushy	05/17/2017 06:35:34	05/16/2017	06/22/2017	PA0002039300
15	258961E123E520633A96CDF11E8E6F60E233C816	Vixen	07/24/2017 17:24:34	07/23/2017	08/10/2017	PA0002046877
16	289FE7D65DFCFACB416832D12862105A2762841A	Blackd	05/12/2017 05:45:47	05/10/2017	06/22/2017	PA0002039285

Work	Hash	Site	UTC	Published	CRO App. File Date	CRO Number
17	31577E16E1B68BF13F30BE538E1BAF66E224726A	Tushy	08/01/2017 05:04:24	07/30/2017	08/11/2017	15711086778
18	322F6ABAB019761A6FF3C1211AF75B28137F013F	Vixen	06/09/2017 20:46:58	06/08/2017	07/06/2017	15584691637
19	337A87F18ACD71687C3733C359197601B44E39FF	Vixen	06/01/2017 09:40:11	05/29/2017	06/22/2017	PA0002039292
20	34452073A3328CE2AF5FC73A5A8DD4141E85B4A	Vixen	08/23/2017 10:51:56	08/22/2017	09/07/2017	PA0002052852
21	374A3B65D604113B83880FDACE83FD1EFED3CA7C	Tushy	08/15/2017 12:51:18	08/14/2017	08/17/2017	PA0002048391
22	3945FEF635D609C3FB77DD4762FC2570E7E12D7C	Blacked	05/21/2017 16:45:29	05/20/2017	06/22/2017	PA0002039289
23	408577469D1675504E89F205C619738007D08DD9	Blacked	06/09/2017 20:59:45	06/09/2017	07/06/2017	15584064165
24	4125860EC76C1E0880F652DA94EB84D375A64436	Tushy	08/05/2017 12:02:40	08/04/2017	08/17/2017	15732903865
25	464AB452DA8258FA23BA74830F0D57EE7CA518C5	Tushy	08/26/2017 12:52:10	08/24/2017	08/24/2017	PA0002052837
26	48F5E3FE47EA76DE23D7D0A8F27ADA15F5C98D7	Blacked	07/20/2017 21:22:16	07/19/2017	08/11/2017	PA0002046876
27	49F03BF24CE42C3AFFA968C9CFE37DB55B3B555E	Tushy	09/28/2017 18:38:00	04/26/2017	06/15/2017	PA0002037565
28	4B86BC16D0E5A0983C578B61ED87BC62C55B116A	Vixen	08/14/2017 12:50:09	08/12/2017	08/17/2017	15732986308
29	4F0D3D0FD3F88791F4933080453A052BE6924F22	Tushy	10/12/2017 21:12:29	10/08/2017	10/22/2017	PA0002058298
30	4FAE423CFA8C54409A4658429D7CB2B3E0F2E8B1	Vixen	09/27/2017 02:20:50	09/11/2017	09/20/2017	PA0002052839
31	4FF62836FC3C509617EE5DE7658EAA8E045C0BA1	Tushy	09/16/2017 16:46:35	09/13/2017	09/25/2017	15894022635
32	5003D85013A07470D85A3250EF4B3393B6E2C804	Tushy	07/12/2017 20:00:00	07/10/2017	08/17/2017	15732782072
33	5176733783D1199D43060681D7AE2D4E3B5C9AF9	Blacked	07/19/2017 22:47:58	07/14/2017	08/11/2017	PA0002046878
34	53FF1B48D8FB69630FE0A67611FE747F902F6874	Vixen	07/20/2017 21:17:40	07/18/2017	08/10/2017	PA0002046875

Work	Hash	Site	UTC	Published	CRO App. File Date	CRO Number
35	5A06B4EA4DB48984499F2E9EA7213220E835089D	Blackd	06/16/2017 14:31:45	06/14/2017	07/06/2017	15584064117
36	5AA7FC6E46AEF9EC1227A939EAD83351AD495F12	Vixen	08/08/2017 23:27:09	08/07/2017	08/17/2017	15732904013
37	5C208E2ABF6083135CA52776A02D87442F215D60	Tushy	06/19/2017 18:46:28	06/15/2017	07/06/2017	15583057198
38	64683F0353A903719B39E742A35B975B17849BF7	Vixen	09/01/2017 13:56:38	07/28/2017	08/10/2017	PA0002046871
39	6503CB2EACE7FA2F1D71B98E41D6D845BF7B794	Vixen	08/18/2017 16:01:01	08/17/2017	08/24/2017	15894022586
40	6960957E412263AA671D4F7A15737527D71A7C08	Tushy	09/08/2017 22:40:10	09/08/2017	09/20/2017	PA0002052841
41	69AC2D8751ABF0FED5C443A1CE77A7C7529B7AC9	Vixen	05/10/2017 08:28:53	05/09/2017	06/22/2017	PA0002039298
42	6A53ECB874B094837053EB7B7142560F0A85A9C2	Vixen	09/22/2017 09:04:25	09/21/2017	09/28/2017	15894022962
43	689175E9708A1BE765BBD6C6582A68A12E44A33E3	Vixen	07/14/2017 21:54:24	07/13/2017	08/10/2017	PA0002046873
44	72F519FE9EED3C466979E55CFEBF253309A8106C	Vixen	05/16/2017 12:11:02	05/14/2017	06/22/2017	PA0002039297
45	74C66B184CB3F25F69326EF0C5529CDB680A8C47	Vixen	05/25/2017 03:53:11	05/24/2017	06/22/2017	PA0002039294
46	7E4981D21DDD4B8D9EB5905B1B8A95461915A160	Blackd	08/24/2017 11:53:28	08/23/2017	08/24/2017	15894022831
47	807F407D94E9D91A368B24C5EEA7DBA5FF438450	Vixen	10/12/2017 19:03:36	06/28/2017	07/06/2017	15584691463
48	82EC6E9F2A9287FD59C2B571FDC0CDED7EDDB81	Blackd	07/05/2017 04:24:38	06/29/2017	07/06/2017	15584063973
49	88D30B83D9E749F514380A5F2E9C3E876CF55431	Tushy	08/10/2017 10:01:43	08/09/2017	08/17/2017	15732986259
50	8D906EA439B8BF052A8D68240F71C6D9ACE1E17A	Vixen	07/05/2017 15:34:08	07/03/2017	07/06/2017	15584691415
51	8F55C47AC0C8FED6F30E2C094965B3CF4749FA41	Vixen	09/20/2017 09:40:12	08/27/2017	09/07/2017	PA0002052843
52	921AED6337A58B159CAF9DADDFE2D91CDF8AB3	Tushy	08/12/2017 11:16:39	06/25/2017	07/06/2017	15584063333

Work	Hash	Site	UTC	Published	CRO App. File Date	CRO Number
53	9B5E94F7A0C627798E8020DFAA9A28609D1AB82A	Tushy	07/20/2017 21:27:58	07/20/2017	08/11/2017	PA0002046869
54	9C80B087C925D30BA01F72FC0EAA8D8EAAADF588A	Blacked	08/20/2017 09:20:56	08/18/2017	08/24/2017	15894022488
55	9D5513F0563852D9FB73EDC7D6318A68B04334D9	Tushy	09/20/2017 11:43:04	09/18/2017	09/28/2017	15894022252
56	9E1EEE10CC32609ECC2542444366C4BBDC969CB5	Vixen	09/17/2017 09:29:18	09/16/2017	09/25/2017	15894022913
57	9E77DF7FCB30D04DC6500C39CC3EF0AA2B48257	Blacked	09/06/2017 23:09:08	09/02/2017	09/07/2017	PA0002052847
58	ABDFB02F5D20F29C32ABCE90A847878DDA3C11D	Tushy	06/12/2017 17:58:55	06/10/2017	07/06/2017	15583057070
59	AE6A89DD0FB4978EAC561028F9FB06AA0A8D7E6A	Tushy	05/10/2017 09:29:30	05/01/2017	06/15/2017	PA0002037577
60	AFA4C44023577E2A90E1CFA8D869A6F5D035B1D2	Blacked	09/08/2017 22:15:20	09/07/2017	09/14/2017	PA0002052840
61	B2EC2056C7699F25A118F23E36BB74FC7D3B7131	Vixen	07/09/2017 14:25:35	07/08/2017	08/17/2017	15732903239
62	B80F62F292E7B77184DC08CF80ECE23CF7B23D15	Tushy	09/29/2017 10:28:52	09/28/2017	10/10/2017	15894022733
63	BA56E328AE2DBA8A20B327451656293E37FDAE35	Blacked	05/16/2017 12:04:06	05/15/2017	06/22/2017	PA0002039283
64	C496C2BFEAC6D994F43DC665F2CBEE16FE85777A	Tushy	06/06/2017 10:39:33	06/05/2017	07/06/2017	15583057012
65	CB9ABC2B058CADE2FA7C0BD6A20558DC0E46EB0D	Blacked	06/24/2017 00:42:22	06/19/2017	07/06/2017	15584064069
66	D2B9C8834073E3BF4B55F7BF45C7EA7BE5903569	Blacked	05/31/2017 11:36:18	05/30/2017	06/22/2017	PA0002039295
67	DCE1E033042DA8E7CFC7CEC42B7D21201BEDFD57	Tushy	07/05/2017 13:13:53	06/30/2017	07/06/2017	15584063421
68	E132114F31A37161B83D12BCE6320B65DE025C9B	Vixen	06/20/2017 01:02:34	06/18/2017	07/06/2017	15584691891
69	E1C14843DC58F3CB2CCB7383B242E4EE8D32363B	Tushy	08/01/2017 00:20:55	07/25/2017	08/11/2017	PA0002046870
70	E272AF63D15A4277BF857E938225717C76F3DA9D	Tushy	05/15/2017 07:43:19	05/11/2017	06/22/2017	PA0002039286

Work	Hash	Site	UTC	Published	CRO App. File Date	CRO Number
71	E4BB480185636612E25A2955F474B4494789F63C	Blackd	10/12/2017 23:51:21	10/07/2017	10/22/2017	PA0002058300
72	E698B37CE99BE570CC9EB659F45DDEF6E740E3BE	Blackd	08/14/2017 12:40:23	08/13/2017	08/17/2017	15732986356
73	EC31FAD9EF2492EACCD767B4A6E207BBF2765F0E	Blackd	09/13/2017 14:24:29	09/12/2017	09/20/2017	PA0002052846
74	F1132ADEB75DD2EA99B249DD70902C74E9DA7884	Tushy	09/03/2017 05:00:03	08/29/2017	09/07/2017	15894022439
75	F4A9F0567219CB991D41B5AD34DCA1CB04591497	Tushy	09/25/2017 11:19:11	09/23/2017	10/02/2017	15893930182
76	F77021A22716CC4E2F1154DBDF60A3891FF84DE1	Tushy	09/29/2017 10:33:06	07/05/2017	07/06/2017	PA0002041555
77	F8A92532C263D3E3497FF27A3FE569FF7BF15E37	Blackd	05/15/2017 06:09:04	04/25/2017	06/15/2017	PA0002037576
78	F8FEB2EE6C17B37610C5B2AE85F0266CB0C5C58D	Blackd	07/05/2017 15:25:57	07/04/2017	07/06/2017	15584063685
79	FF7A5EE06C927438A3CAABC69D774D9CEACA889F	Tushy	07/17/2017 19:52:12	07/15/2017	08/10/2017	15711014757
80	FFD7D4C0A301487B3A11CBF1B3FC16410D42AEAO	Vixen	09/06/2017 23:08:24	09/06/2017	09/14/2017	PA0002052844

The Honorable Marsha J. Pechman

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

STRIKE 3 HOLDINGS, LLC, a Delaware
corporation,

Plaintiff,

vs.

JOHN DOE subscriber assigned IP address
73.225.38.130,

Defendant.

Case No.: 2:17-cv-01731-MJP

**DECLARATION OF GREG LANSKY IN
SUPPORT OF PLAINTIFF'S MOTION
FOR LEAVE TO SERVE A THIRD
PARTY SUBPOENA PRIOR TO A RULE
26(f) CONFERENCE**

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DECLARATION OF GREG LANSKY IN
SUPPORT OF PLAINTIFF'S MOTION – (2:17-
cv-01731-MJP)

FOX ROTHSCHILD LLP
1001 Fourth Avenue, Suite 4500
Seattle, WA 98154
(206) 624-3600

**DECLARATION OF GREG LANSKY IN SUPPORT OF
PLAINTIFF'S MOTION FOR LEAVE TO SERVE A THIRD-PARTY
SUBPOENA PRIOR TO A RULE 26(F) CONFERENCE**

I, Greg Lansky, do hereby state and declare as follows:

1. I am a member of General Media Systems, LLC, the parent company that owns Strike 3 Holdings, LLC ("Strike 3"). I am the Chief Creative Officer of the *Blacked*, *Tushy*, and *Vixen* adult brands.

2. I have personal knowledge of all of the matters contained in this declaration and, if called and sworn as a witness, I can and competently will testify to all matters contained herein. This declaration is made in support of Plaintiff's Motion for Leave to Serve a Third-Party Subpoena Prior to a Rule 26(f) Conference.

3. Strike 3 owns the intellectual property to the *Blacked*, *Tushy*, and *Vixen* adult brands, including the copyrights to each of the motion pictures distributed through *Blacked*, *Tushy* and *Vixen* and the trademarks to each of the brand names and logos. Strike 3 is owned entirely by our company General Media Systems, LLC and has existed since 2015.

4. I moved to the United States in 2006 from Paris, France to pursue my dream of creating art in an adult context. I have always been passionate about photography and cinematography.

5. It was a difficult start - I could barely speak English, and I had trouble making connections and finding employment. I struggled for several years to make a name for myself as a reliable photographer and director.

6. Eventually, after tremendous hard work, I was fortunate to be hired by some of the biggest adult brands in the world. Through these experiences, I was able to establish myself and become an expert in the field.

7. In 2013, I decided to risk everything to create my own company and studio. As a director, I felt the industry and I were not offering the best quality and experience possible. I felt I was not offering truly inspiring projects for performers to express their art.

1 8. At the time, the adult market was demoralized and it appeared that a high-quality, well
2 produced, subscription based website would never succeed.

3 9. I can still remember when our company was just three people in my small home office.

4 10. We kept growing and after a few years our brands turned into a multi-million dollar a
5 year business. We now have 20 million unique visitors to our websites per month and a loyal
6 following.

7 11. Our company's philosophies are important.

8 12. We always strive to pay artists and models an amount above that being paid by other
9 companies. Indeed, we are known for paying our performers the highest rates ever recorded.
10 We give them the respect they deserve.

11 13. We focus on delivering to our subscribers and fans superior quality adult films and a
12 wonderful customer experience. People thought we were crazy to think that people wanted to
13 pay for expensive quality adult films and we were told that we were destined to fail. Now, we
14 have a substantial and loyal customer base.

15 14. We provide jobs for nearly 60 people worldwide. We provide good benefits including
16 health care coverage and have an extremely positive company culture.

17 15. Our movies are known for having the highest production budget of any in the industry.
18 We invest in and utilize state of the art cinematic equipment. We film with Hollywood industry
19 standards. And, as our subscriber base grows, we always seek to find ways to invest in value
20 for our customers.

21 16. Because of this, we have a subscriber base that is one of the largest of any adult sites in
22 the world.

23 17. We are also currently the number one seller of adult DVDs in the United States.

24 18. Our content is licensed throughout the world, including by most major cable networks.

25 19. Our success has not gone unnoticed. Indeed, we are very proud to state that our unique
26 cinematic films have won many awards. It's humbling. Some of them include:

- Best marketing campaign – company image (AVN, 2016-2017)
- Best new studio (XBIZ, 2017)
- Best cinematography (AVN, 2016)
- Director of the Year (AVN, 2016-2017; XBIZ, 2017)
- Best membership website (AVN, 2016-2017)
- Adult site of the year – (XBIZ, 2015-2017)

20. We also are routinely featured in the mainstream media. Just in the past few months, Forbes,¹ The Daily Beast,² and CBC Radio³ have all done substantial profiles on us.

21. We are proud of our impact on the industry. We have raised the bar - leading more adult studios to invest in better content, higher pay for performers, and to treat each performer like an artist. That is a testament to the entire team, the company we have built and the movies we create.

22. Unfortunately, piracy is a major threat to our company. We can compete in the industry, but we cannot compete when our content is stolen.

23. We have discovered that when we put videos online for paid members to view, it takes as little as four minutes to be downloaded on to torrent websites. We have attempted to identify the initial seeder but have found it impossible with the large volume of our subscriber base.

24. We put a tremendous amount of time, effort and creative energy into producing and distributing valuable content for our paid customers. It crushes us to see it being made available to anyone for free in just minutes.

¹ "How One Pornographer is Trying to Elevate Porn to Art," *Forbes* July 20, 2017 <https://www.forbes.com/sites/susannahbreslin/2017/07/20/pornographer-greg-lansky-interview/#2301d3ae6593>

² "Meet the Man Making Porn Great Again," *The Daily Beast*, February 18, 2017 <http://www.thedailybeast.com/meet-the-man-making-porn-great-again>

³ "Porn-o-nomics: How one director is making a fortune by defying conventional wisdom," *CBC Radio*, February 24, 2017 <http://www.cbc.ca/radio/day6/episode-326-sanctuary-cities-la-la-land-vs-jazz-hollywood-in-china-porn-o-nomics-and-more-1.3994160/porn-o-nomics-how-one-director-is-making-a-fortune-by-defying-conventional-wisdom-1.3994167>

1 25. We are undeniably the most pirated adult content in the world. Our movies are typically
2 among the most pirated television shows and movies on major torrent websites.

3 26. We send on average 50,000 DMCA notices a month but it does virtually nothing to stop
4 the rampant copyright infringement.

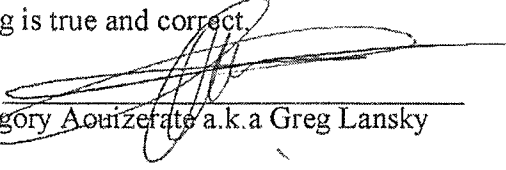
5 27. The only effective way to stop the piracy of our movies on BitTorrent networks is to file
6 lawsuits like this one.

7 28. We believe a consumer's choice of what content to enjoy, whether it be adult
8 entertainment or otherwise, is a personal one to that consumer and therefore it is our policy to
9 keep confidential the identity of not only our subscribers, but even those we are pursuing for
10 copyright infringement.

11 29. To continue to provide value for our members, exciting and inspiring projects for adult
12 performers, and to continue to create jobs and growth in our community, we must protect our
13 copyrights.

14 **DECLARATION**

15 Pursuant to 28 U.S.C. § 1746, I hereby declare under penalty of perjury under the laws
16 of the United States of America that the foregoing is true and correct.

17 By: 
18 Gregory Aouizerate a.k.a Greg Lansky

The Honorable Marsha J. Pechman

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

STRIKE 3 HOLDINGS, LLC, a Delaware
corporation,

Plaintiff,

vs.

JOHN DOE subscriber assigned IP address
73.225.38.130,

Defendant.

Case No.: 2:17-cv-01731-MJP

**DECLARATION OF TOBIAS FIESER IN
SUPPORT OF PLAINTIFF'S MOTION
FOR LEAVE TO SERVE A THIRD
PARTY SUBPOENA PRIOR TO A RULE
26(f) CONFERENCE**

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DECLARATION OF TOBIAS FIESER IN
SUPPORT OF PLAINTIFF'S MOTION – (2:17-
cv-01731-MJP)

FOX ROTHSCHILD LLP
1001 Fourth Avenue, Suite 4500
Seattle, WA 98154
(206) 624-3600

**DECLARATION OF TOBIAS FIESER IN SUPPORT OF PLAINTIFF'S
MOTION FOR LEAVE TO SERVE A THIRD PARTY SUBPOENA
PRIOR TO A RULE 26(f) CONFERENCE**

I, Tobias Fieser, do hereby state and declare as follows:

1. My name is Tobias Fieser. I am over the age of 18 and am otherwise competent to make this declaration.

2. This declaration is based on my personal knowledge and, if called upon to do so, I will testify that the facts stated herein are true and accurate.

3. I am employed by IPP International UG ("IPP"), a German company, in its litigation support department.

4. IPP provides forensic investigation services to copyright owners including an ability to track, monitor, and detect copyright infringement in an online environment. Strike 3 Holdings, LLC ("Strike 3") hired IPP to monitor and record online infringement of its movies.

5. One of the services that IPP provides is that its system monitors the BitTorrent file distribution network for the presence of copyrighted works. IPP's forensic software identifies Internet Protocol ("IP") addresses that are being used by infringers to distribute copyrighted works within the BitTorrent File Distribution Network.

6. As part of my employment with IPP, I was assigned the task of overseeing, analyzing, and reviewing the results of this investigation. I have previously provided the same support for thousands of copyright infringement lawsuits across the United States, and I gave full and complete testimony about the forensic scanning process during the "BitTorrent Bellwether Trial" (*Malibu Media v. John Does*, 12-cv-2078, (E.D. Pa. Jan. 3, 2013)).

7. After reviewing IPP's forensic activity records, I determined that IPP's forensic servers connected to an electronic device using IP Address 73.225.38.130. After this connection, Defendant's IP Address of 73.225.38.130 was documented distributing to IPP's servers multiple pieces of Strike 3's copyrighted movies listed on Exhibit A to Strike 3's Complaint.

CERTIFICATE OF SERVICE

I am employed in the County of Washington, in the State of Oregon. I am over the age of 18 and not a party to the within action. My business address is 3699 NE John Olsen Ave, Hillsboro, Oregon 97124.

On May 31, 2018, I hereby certify that I served DEFENDANT'S REQUEST FOR PRODUCTION OF DOCUMENTS TO PLAINTIFF, SET ONE, by delivering said document, by mail and email to:

Bryan J. Case, WSBA #41781
Email: bcase@foxrothschild.com
FOX ROTHSCHILD LLP (SEATTLE)
1001 Fourth Avenue, suite 4500
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Los Angeles, California 90067
Telephone: (310) 598-4150

Attorneys for Plaintiff Strike 3 Holdings LLC

DATED this 31st day of May, 2018.

By: /s/ Kiren Rockenstein
Kiren Rockenstein